"Freedom from Fear and Want" and "the Right to Live in Peace", and "Human Security"*

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Abstract

Since the 1994 Human Development Report of UNDP, the concept of "human security" has become popular in the international society while "the right to live in peace" in the Japanese constitution has been familiar in postwar Japan. The UNDP concept of human security and the Japanese constitutional concept of the right to live in the peace share the same origin of "freedom from fear and want", which was also the purpose of the foundation of the United Nations. Learning from the historical process of the right to live in peace which has contributed to the socio-economic development of postwar Japan, the human security would possibly and effectively work for the world peace and development

Keywords:

human security, the right to live in peace, globalization,
the Constitution of Japan

PREFACE

We are in the midst of global structural change precipitated by two sudden collapses. The first was the fall of the Berlin Wall on November 9, 1989, which led to the end of the Cold War and introduced the era of globalization. The second was the destruction of the World Trade Center's twin towers on September 11, 2001, which inaugurated the Age of Terror[1]. We realize that we are facing a sudden, drastic and total transformation of our circumstances. Too much, and too rapid, structural change around us brings about some level of confusion regarding what and where we are, since we are so busy following the sequence of events and incidents that we lose our past and it becomes difficult to imagine possibilities for our future. It might be said that such a situation generates a kind of "identity crisis" among us.

But, then in the 1990s we saw the emergence of a new concept of "human security" together with "global governance" or "global democracy" and the like. In case of meeting such a new concept, we should first ask if it could be clearly defined and if it could work in historical and actual contexts. Then, we can develop it as a living idea for our future and create our new identity as a driving force for the world peace. In this article I would try to examine the idea and concept of "human security", referring to the post-war Japanese experience. Let me start by examining briefly the present state of globalization.

1. TWO GLOBALIZATIONS OF MARKET-BASED AND OF DEMOCRACY

There exist two globalizations. One is the globalization of market-based, competitive and neo-liberal dominance, which has caused massive and rapid borderless moves of people, goods, money, capital, information, services and technology. This globalization has brought various benefits and much convenience to the world, particularly for so-called "global capital", but also it has widened the national and cross-national disparities between the rich and the poor, between the developed and developing countries. Furthermore, it accelerates the industry of human smuggling, and the diffusion of arms and drugs as well as infectious diseases.

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1) It is not certain whether the age of terror will be a phase or a permanent aspect of the era of the globalization.

Another globalization is that of democracy. This aspect of globalization is often overlooked when we discuss the present situation. Globalization of democracy has begun in the South since the 1980s. Authoritarian military regimes fell by the people's movements in the Philippines, South Korea and Taiwan in Asia, as well as in South American countries and also in South Africa. Then, we saw the collapse of socialist countries of Eastern Europe and Soviet Russia.

While the concept of democracy is controversial and multi-dimensional, we can define it tentatively as a form of government in which the supreme power is vested in the people and exercised substantially by them. Globalization in the 1990s displayed not only the broadly based and strong voice of "government by the people" from the bottom up, but also what we could call the emergence of "constitutional democracy", which makes democracy more substantial and more human rights-minded for individuals. In 1990s it has soon developed an "overlapping consensus" in the world[2].

After the turn of the century, however, the constitutional democracy confronted the Age of Terror following the second collapse, the September 11 attacks. Many governments, appealing to the fears held by many people, adopted anti-terrorism policies that seem to be inconsistent with the protection of civil liberties as the core of constitutional democracy. Constitutional democracy since the 1990s is now under the serious threat, which comes not only from external sources such as terrorism, but also from internal political manipulation of fear and anger, partly but continuously produced upon the gaps in socio-economic structure in the globalization. The creation of "terrorists", who are the "others of law", needs human groups to whom the protection of human rights law does not reach. Exterminating "terrorists" and democratizing "the South" look a reasonable demand for achieving security of the international community from the view of the "democratic" nations, but also may take us into a vicious circle of violence and fear. It should stop it, move forward and develop our future to more potential. If peoples and nations try to struggle against ter-

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2) The concept of "constitutionalism" can be defined in different contexts. "Constitutionalism" could originally include a restraint of popular will or sovereignty and, above all, could be a fear of the consequences of democratic power and rule. We use "constitutional democracy", which makes democracy more substantial and more human rights-minded for individuals. I refer here the constitutional democracy as distinct from liberal-democracy, which becomes political synonymous with market-based, neo liberal democracy.

rorism and for democracy, it is essential to look at the structural causes and conditions that produce terrorism.

2. "HUMAN SECURITY" AND "FREEDOM FROM FEAR AND WANT"

Since the 1994 "Human Development Report"by the UNDP (United Nations Development Program), the concept of human security has become popular in the international community. The Report defined human security as providing safety for the people from hunger, diseases, oppression and other chronic threats as well as protecting them from sudden and hurtful disruptions in the patterns of daily life. Describing the summation of the seven distinct dimensions of human security: Economic, Food, Environmental, Personal, Community and Political, the Report insisted that now is the time to change the concept of security from state-oriented to human being-oriented perspectives.

It is certain that the concept of human security seems comprehensive and necessarily explanatory, and even elusive. First, it refers to all types of "security", which involve human individuals and/or groups, protected or protecting against all kinds of threats found in their conditions and circumstances. Second, it refers to all disasters, human and natural. Eventually, national/international security can be included in the concept. In other words, the concept builds on interdependency among human (individual), state (national), non-state (groups, organizations, communities), and international security. While such a comprehensive concept of security may be effective to explain the situation regarding current human security threats, it is so elusive that anyone can manipulate the concept in particular contexts. Third, the concept is "deliberately protective"[3]. The concept can be described, in the Final Report of the Commission on Human Security[4], as "to safeguard the vital core of human lives from critical pervasive threats, in a way that is consistent with long-term human fulfillment". The human security concept seems to be oriented towards whom to protect, not from whom to be protected. In other words, it is actually for the nation-states and international organizations

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3) Sabina Alkire, Conceptual Framework for Human Security (Working Paper for the Commission on Human Security), p.1 (16 February 2002). Also see, Sara Edson, Human Security: An Extended and Annotated International Bibliography (June 1, 2001).

4) The Commission on Human Security, Human Security Now, May 1, 2003.p.10.

to decide the particular contents of human security for the people to be protected.

However, in my view, the concept of human security is still essentially inspirational. It stipulates what ought to be the contents of security for human beings in their daily lives. It insists, further, on switching the viewpoint to seeing security from nation-state to human being perspectives. That is to say, it announces that military security is no longer generally regarded as valid for human security.

In order to find the significance of human security, we need to trace the historical background. The UNDP report referred to "Freedom from Fear and from Want", which was the purpose of the foundation of the United Nations. The phrase of "freedom from fear and want" derived from the Atlantic Charter of 1941, which proclaimed "(Sixth), after the final destruction of the Nazi tyranny, they hope to see established a peace which will afford to all nations the means of dwelling in safety within their own boundaries, and which will afford assurance that all the men in all lands may live out their lives in freedom from fear and want" [5] The assurance in the Atlantic Charter came to legitimate the war waged by the Allied powers during World WarII.

In the process of establishing an international organization like the United Nations, the questions were first, how to "maintain international peace and security" and secondly, how to pursue "freedom from fear and want". The peace of the world could be established not only through preventing war and military conflicts among sovereign states, but also by taking initiatives to "achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion". Edward R. Stettinius Jr., U.S. Secretary of State, reporting to his government the results of the San Francisco meeting that set up the United Nations, wrote: "the battle for peace has to be fought on two fronts. The first is the security front where victory spells freedom from fear. The second is the economic and social front where vic-

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5) The idea and concept was first referred as "Four Freedoms" in Franklin D.Roosevelt annual address to Congress on January 6, 1941. He announced that the United States was fighting for the universal freedoms that all people possessed, which were "four freedoms" ; the freedom of speech, the freedom of worship, the freedom from want, and the freedom from fear.

tory means freedom from want. Only victory on both fronts can assure the world of an enduring peace [...] No provisions that can be written into the Charter will enable the Security Council to make the world secure from war if men and women have no security in their homes and their jobs" [6].

The Charter of the United Nation was established "to save succeeding generations from the scourge of war, which twice in our lifetime has brought untold sorrow to mankind" and "to reaffirm faith in fundamental human rights, in the dignity and worth of the human being to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small". In order to maintain international peace and security the Security Council was established; but soon the Council became ineffective due to disagreement among the permanent members in the Cold War era. It took more than 50 years before proclaiming "Freedom from Fear and Want" as one of the main purposes of UN foundation. Although the United Nations, in order to promote economic and social development along with human rights, has formulated international human rights standards since the Universal Declaration of Human Rights of 1948, until recently it had not actively and seriously considered the mutual relationship between "international peace and security" and "human rights" perspectives. The concept of security was exclusively in the realms of nation-states and power-politics, not of human beings.

The historical fact should be emphasized that the international community just after World WarII decided that "Freedom from Fear and Want" was primarily a vital issue of human rights and also deeply tied to the ideas of peace and security for peoples and nations.

3. THE CONSTITUTION OF JAPAN AND THE RIGHT TO LIVE IN PEACE
(a) CONSTITUTIONAL PEACE DOCTRINE

Like the preamble of the UN Charter, the Japanese Constitution of 1946, starting with "never again shall we be visited with the horrors of war through the action of the government", declares in its preamble: "we have determined to preserve our security and existence, trusting in the

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6) U.S. Secretary of State, Edward R. Stettinius Jr, reporting to his government the results of the San Francisco meeting that set up the United Nations, 1945.

justice and faith of peace-loving peoples of the world", and said "we recognize that all peoples of the world have the right to live in peace, free from fear and want", and "obedience to [laws of political morality]is incumbent upon all nations who would sustain their own sovereignty and justify their sovereign relationship with other nations". In order to realize these principles, the Constitution further provides in Article 9(a) that "Japanese people forever renounce war as a sovereign right of the nation and threat or use of force as means of setting international dispute"; and in 9(b) that "land, sea and air forces, as well as other war potentials, will never be maintained. The right of belligerency of the state will not be recognized."

The most striking characteristics of the constitutional peace doctrine are first, the prohibition of Japan's use of war and the threat or use of force as means of settling international disputes; and second, the deprivation of Japan's capability to maintain military forces as well as other war potential, which has caused innumerable constitutional and political controversies over the constitutionality of the US-Japan Security Treaty and the Self Defense Force (SDF) in postwar Japan. The Constitution, however, goes further to refer to the real relationship between the state and the people: "all peoples of the world have the right to live in the peace, free from fear and want". This combines human rights directly with peace, which was traditionally occupied by state sovereignty. I think this is a historical turning point in thinking about war and peace.

The significance of these phrases in the Preamble could not be realized in those days, and it took time to find meaning in postwar Japan. The United Nations had to come into the centre of power politics among the sovereign states during the Cold War, so it took more than fifty years until the United Nations finally raised this concept once again.

(b) Legislative history of the peace doctrine

Briefly speaking, the peace doctrine has two aspects. One aspect demonstrates both the pacifism that emerged in the world due to the terrible experiences of two World Wars, and the succession of the historical effort to make war illegal illustrated for example by the Kellogg-Brian Pact of 1928 and the UN Charter. The other aspect demonstrates the political realism of the time. The most serious issue was how to treat the Tenno (Emperor), which was the most controversial problem related to the

war responsibility. The latter may need some explanation[7].

The U.S. postwar goal was "to bring about the eventual establishment of a peaceful and responsible government which will respect the rights of other states and will support the objectives of the United States" (The U.S. Initial Post-Surrender Directive, August 29, 1945). Who was a possible political leader in postwar Japan to create the kind of peace and order which the U.S. would desire? In a highly political decision the U.S. decided to establish the political foundation of postwar Japan by preserving the pro-American old ruling conservatives, and its core was the Tenno. The U.S. had faced a crucial problem of selecting supporters for a democratic Japan, because in pre-war Japan most political and social leaders cooperated fully with the authoritarian and militaristic government and regime, except for a few communists and intellectuals. Thus, the United States had difficulty in finding and promoting new potential political ruler who could support American interests in the rapidly changing postwar circumstances. It was clear that the Tenno and its conservative ruling class were a stable political group, who could possibly and eagerly support the U.S. strategy.

Since the Tenno system was a vital part of Japanese militarism, it was obvious that saving the Tenno system even for political stability in postwar Japan might cause world-wide censure. The U.S. had to show the world internationally that Japanese militarism would never revive and that Japan would never be a threat to others, Asia in particular. It did so by establishing the peace doctrine, which first appeared as a second principle in the so-called MacArthur Note for drafting a new constitution and later became Article 9 of the Constitution – after some revisions. Therefore, the present constitution defined the role of "The Emperor" in Chapter One, and defined "Renunciation of War" in Chapter Two. The Japanese government and the conservatives agreed to the pacifist principle in order to preserve the Tenno system, and the people welcomed these proposals.

Regardless of what happened during the legislative process, it must be emphasized that the original meaning of Article 9 was clearly a flat denial of every kind of war and of any possibility of war potential in Japan whatsoever, in order to prevent the possibility of aggression in Asia or

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7) See, Shiro OKUBO, Japan's Constitutional Pacifism and United Nations Peacekeeping, W.S.Hunsberger ed., The Japan's Quest,(M.E.Sharpe, 1997) Pp.102.

elsewhere by Japan. In addition, the decision to enact the peace provision was meant to weaken the charge of Japan's war responsibility, particularly that of the Emperor.

(c) Postwar development of the peace doctrine

The beginning of the Cold War brought major changes in U.S. occupation policy. The U.S. priority turned to building Japan as a base against communist expansion in Asia, which resulted in weakening the post-war democratization policy. Japanese conservatives welcomed this "reverse course". Following the peace treaty of 1952, Japan could reenter international society, but agreed to the Japan-U.S. Security Treaty, which thrust Japan into the Cold War confrontation. Having encouraged by the U.S., the conservatives tried to revise Article 9, but lacked a two-thirds majority in both houses of the Diet, which is the constitutional requirement to initiate an amendment for a national vote. Thus, this movement faced clear opposition and was defeated by the people, who still remembered their horrible wartime experiences and were afraid of being involved in American wars. Opposition existed even among the conservatives, who thought that quick rearmament would disturb economic recovery. After the political crisis of 1960 over the revision of the Japan-U.S. Security Treaty, the LDP government decisively moved to adopt a different style of "post-war governance". The basic policy first put special emphasis on economic development at home, and second conformed to U.S. global policy abroad. The constitutional doctrine of peace was established through these national movements for peace and democracy in the latter half of the 1950s and 1960s in the era of the cold war internationally.

Postwar Japan, depending upon the U.S. military presence in Asia for national security, tried to concentrate on its industrial growth. In order to resist the U.S. demands to build up a big military, the government fully exploited the constitutional peace doctrine and the strong pacifism in public opinion. Indeed, the government's interpretation of Article 9 that the SDF is not in the normal sense "the military" or "war potential" leads to the curious conclusion that there exist no military forces in the world!

While the LDP government intended to build up the SDF and strengthen the Japan-U.S. military relation step by step, all such policies

and arguments were continuously met by strong opposition based upon and justified by the Constitution. Thus, through the 1960s and the 1970s the government had to consider security policy with caution and eventually created a series of self-restraints mainly because of the Constitution (e.g., prohibition against dispatching the SDF overseas, joining in collective security agreements to defend other nations, the so-called non-nuclear policy, the budgetary parameter of spending no more than one percent of its GNP on defense, and prohibition on exporting military hardware). In the mid-1970s, the oil crisis hit the Japanese economy, but Japan was able to recover quickly. One of the reasons was that Japan concentrated upon rearranging its industrial structure without devoting financial and human resources to the military. Japan postwar stability depended upon economic policy-making and industrial activities, but less on the military field. The political and military situations have changed since the late 1970s; the decline of U.S. economic and military power required Japan to expand its share of the military burden imposed by the U.S. world strategy. At the same time, Japan's economic power seemed to be calling for parallel growth in some form of military strength. By the end of the 1980s, Japan's defense budget was the third largest in the world.

Following Article 9, however, Japanese constitutional scholars continued to argue the unconstitutionality of Japan-US Security Treaty and to press constitutional litigation against the SDF. They tried to combine the constitutional mandate of Article 9 for the government with the people's fundamental right to ask the government to stop unconstitutional acts that opposed "the right to live in Peace" in the Preamble.

In 1973 Sapporo District Court announced the decision of Naganuma Nike Missile Site case[8]. The plaintiffs challenged the government's decision to build a Nike anti-aircraft missile base within a forest reserve near Naganuma in Hokkaido (Japan's northern island). They argued, first, that they benefited directly from the preservation of the forest reserve, and that farmers and other residents' supply of irrigation and drinking water and protection from floods were adversely affected by the Minister of Agriculture's cancellation of the forest reserve designation. Second, they also claimed that the base was illegal because it violated Article 9 of the Constitution. The Sapporo District Court held that the plaintiffs had standing to sue and that the case did indeed violate the "no war" provision

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8) Ito et al. v. Minister of Agriculture, Forestry and Fisheries (1973).

of the Constitution[9]. The district court said:

> "In addition, considering the Forest law as located within the constitutional order, the purpose of the forest reserve system should not be understood as limited to those separate purposes listed under Article 25 (of the constitution). Rather, it is natural to see the individual provisions as intended to safeguard the "right to live in peace" (the Preamble of the Constitution) in order to realize the basic principles of the Constitution, which are democracy, respect for fundamental human rights, and pacifism. Accordingly, if the right of the area residents to peaceful existence is infringed upon by the defendant's official act, or as long as there is a danger of such infringement, these residents have a legal interest in contesting the error of that action. The reason for the official act canceling designation of the reserve was, as noted in above, construction of the facilities for the Third Anti-Aircraft Group. This is a Nike missile base, and from the testimony of the witnesses..., this base, with anti-aircraft facilities, radar and so forth, would be the first target of an attack from another country at the time of an emergency. Consequently, the danger exists that the plaintiffs' right to live in peace is being infringed upon. Moreover, since with this kind of infringement, once an incident occurs relief means nothing or is remarkably difficult to obtain, the plaintiffs have a legal interest to contest the official act to seek its annulment".

In the 1970s and 80s, the right to live in peace was considered as a constitutional right among legal academics and public opinion, particularly in the era of global nuclear war confrontation. The Japanese people's commitment to their unique pacifism under this Constitution has been strong mainly because of their terrible experiences in prewar times, and later was strengthened by the threat of being involved in American wars with nuclear weapons. The fact that the government con-

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9) The Sapporo High Court agreed with the district court that plaintiffs had valid interests in the water supply and flood control assured by the forest reserve, but held that the dikes and other substitute facilities provided adequately protected these interests and thus removed the basis for their standing to sue. Also, the appellate court differed with the district court on whether the Preamble and the Article 9 provided a " right to live in peace" violated by the Self-Defense Force, and whether the law creating the Self-Defense Force involves a " political question" not susceptible to judicial review. The Naganuma plaintiffs appealed to the Supreme Court whether they had standing turned on interpretation of words " a direct interest" in the Forest Law.

tinues to try to make the Self-Defense Force compatible with Article 9 and that it has never officially admitted the apparent contradiction between the two, demonstrates the government's real-politik and the actual effects of the constitutional doctrine of peace. Japanese political leaders eventually fended off U.S. pressure for a military build-up because of constitutional limitations and devoted the nation to the pursuit of sustained economic growth. In this sense, the peace doctrine has played a major role in the socio-economic recovery and rapid development of Japan. On the other hand, the present stage of the Japan-U.S. Security Treaty and Japanese Self Defense Force are far beyond the restraints of the Constitution. We stand at a turning point of postwar Japan, but still it is true that the right to live in peace was not an ideal or political agenda, but a constitutional right to be effective if it is combined with "freedom of fear and want". This will be the case in the world as well as in postwar Japan.

4. "HUMAN SECURITY" IN POLICY MAKING

While widespread support for the idea and concept of "human security" can be seen in academia and the international community, Japan and Canada are two main governments which support "human security" concept publicly, but there are some differences in definition and in practice between them. It can be said that the governmental policies of Canada and Japan, in a sense, show a contrast in the stresses and the importance of understanding on "human security".

One of the first countries to adopt the policy approach was Canada. In the end of the 1990s Foreign Minister Lloyd Axworthy pointed out that "the very breadth of UNDP approach, however, made it unwise as a policy instrument" and concluded that "human security is greatest during war" and "human security means much more than the absence of military threat" [10]. Canadian human security policy revolved around campaigns against anti-personal landmines, which led to the signing of the Ottawa Treaty, making an International Criminal Court against war-crimes as in the Kosovo crisis of 1999 and genocide as in Rwanda in 1994. In order to put an end to intra-state violence and to restore order, Canada calls for the promotion of conditions favoring strong

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10) Lloyd, Axworthy, Canada and Human Security: The Need for Leadership, International Journal 52(2)(1977).

and democratic states, if necessary by humanitarian military intervention [11]. Canadian human security policy is advanced from the view of "Freedom from Fear".

Since the late 1990s, due to the Asian financial crisis of 1997, the Japanese government repeatedly insisted that human security "is a concept that takes a comprehensive view of all threat to human survival, life, and dignity" and the need to respond. Japanese policy stresses the importance of economic development and provision for basic human need, summarized by "Freedom from want". The approach has been shaped by ad hoc programs focusing on economic development and community building. Compared with the Canadian approach, which tends to make new treaties to protect civilians, Japan's likely approach is to go along with UN activities, implementing human security items. The Japan Ministry of Foreign Affairs said "we believe that freedom from want is no less than critical than freedom from fear. So long as its objectives are to ensure the survival and dignity of individuals as human being, it is necessary to go beyond thinking of human security solely in terms of human life in conflict situations." [12].　The Japanese government financially supported and initiated the Independent Commission on Human Security in early 2001, which was strongly influenced by Kofi Annan's speech at the UN Millennium Summit [13]. Nevertheless, the Japanese human security policy has been a weak implementation of its foreign policy as whole, which heavily depends upon the US-Japan military alliance, just like the constitutional peace doctrine has done.

Conclusion: Coerciveness and Non-Coerciveness

Human security strategy is basically a non-military and non-coercive approach. It has defined "security" of the people from the view point of individuals, and that "security" should be based upon a totally different philosophy of order from the traditional one of using force, deeply connected to the concept of the national sovereign state.　As we have to recognize that various factors of violence, power, coercive order still remain in the real world, we are inclined to think that the problem of security finally falls into the purview of military and coercive measures, but it must be

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11)　Report of the international commission on intervention and state sovereignty, the Responsibility to Protect, December 2001.　More than 70 countries ,mainly in Asia ,submitted their critics to the report.
12)　Japan Ministry of Foreign Affairs, The Trust Fund for Human Security, P.4.,2003.
13)　Kofi Annan, We the People-the Role of the United Nations in the 21st Century.

considered by whom and by what standard these measures are to be adopted ; what is the process of using them and what the results are.

The differences may stand between the short-range and long-range perspectives and strategies. In the latter it may be relatively easy to agree that non-coercive measures should be exercised. The problem remaining in most cases is the effectiveness of coerciveness and of using military forces in the short term. Still, reflecting on the history of the world and at least the history of pre and post- war Japan, non-coerciveness both in the long and the short term seems to be more productive and more realistic if one looks at the basis of disputes around the world.

Appendix 1: Preamble of the Constitution of Japan

We, the Japanese people, acting through our duly elected representatives in the National Diet, determine that we shall secure for ourselves and our posterity the fruits of peaceful cooperation with all nations and the blessings of liberty throughout this land, and resolved that never again shall we be visited by the horrors of war through the action of government, do proclaim that sovereign power resides with the people and do firmly establish this Constitution. Government is a sacred trust of the people, the authority for which is derived from the people, the powers of which are exercised by the representatives of the people, and the benefits of which are enjoyed by the people. This is a universal principle of mankind upon which this Constitution is founded. We reject and revoke all constitutions, laws, ordinances, and prescripts in conflict herewith.

We, the Japanese people, desire peace for all time and are deeply conscious of the high ideals controlling human relationships, and we have determined to preserve our security and existence, trusting in the justice and faith of the peace-loving peoples of the world. We desire to occupy an honored place in an international society striving for the preservation of peace, and the banishment of tyranny and slavery, oppression and intolerance for all time from the earth. We recognize that all peoples of the world have the right to live in peace, free from fear and want.

We believe that no nation is responsible to itself alone, but that laws of political morality are universal; and that obedience to such laws is incumbent upon all nations who would sustain their own sovereignty and justify their sovereign relationship with other nations.

We, the Japanese people, pledge our national honor to accomplish

these high ideals and purposes with all our resources.

Appendix 2: The Article 9 the Constitution of Japan: Renunciation of War.

Aspiring sincerely to an international peace based on justice and order, the Japanese people forever renounce war as a sovereign right of the nation and the threat or use of force as means of settling international disputes.

In order to accomplish the aim of the preceding paragraph, land, sea, and air forces, as well as other war potential, will never be maintained. The right of belligerency of the state will not be recognized.